

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

Faisal LODHI,

Plaintiff,

v.

STATE PAROLE BOARD OF NEW JERSEY  
and Thomas HAAF,

Defendants.

Civ. No. 11-5609

MEMORANDUM and ORDER

THOMPSON, U.S.D.J.

This matter has come before the Court on Plaintiff Faisal Lodhi's letter request [docket # 14] to reopen the above-captioned case. As noted in this Court's Opinion and Order of January 26, 2012 [10], Plaintiff's claims are barred as a matter of law by the doctrine of *Heck v. Humphrey*, 512 U.S. 477 (1994), and its progeny. "[W]here 'establishing the basis for the damages claim necessarily demonstrates the invalidity of the conviction,' a § 1983 action will not lie 'unless . . . the conviction or sentence has already been invalidated.'" *Wilkinson*, 544 U.S. at 80 (quoting *Heck*, 512 U.S. at 481–82, 487). Plaintiff in this case seeks to challenge the denial of his parole application because of the Defendants' alleged discriminatory animus. However, "the alleged improper denial of release on parole plainly implicates the validity of continued confinement." *Connolly v. Arroyo*, 293 F. App'x 175, 177 (3d Cir. 2008). Therefore, Plaintiff has no viable cause of action and reopening this case would be futile. Thus, Plaintiff's letter request is DENIED.

/s/ Anne E. Thompson  
ANNE E. THOMPSON, U.S.D.J.

Date: February 17, 2012